

BEFORE THE FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2004 OCT 19 P 5: 2b

**SENSITIVE**

In the Matter of )

MUR 5262

Dennis Rossi )

GENERAL COUNSEL'S REPORT # 2

**I. ACTIONS RECOMMENDED**

1. Accept the attached conciliation agreement with Dennis Rossi.
2. Close the file as to Dennis Rossi.
3. Approve the appropriate letter.

**II. BACKGROUND**

This matter pertains to a \$25,175 guarantee on a \$50,350 bank loan taken out by the candidate, Tim Ryan, for campaign purposes.<sup>1</sup> The guarantor, Dennis Rossi, was Mr. Ryan's former high school basketball coach; the bank's loan officer, Shawn Pompelia, had also played basketball for Mr. Rossi, and the three men later coached together. Mr. Ryan, relying on erroneous information from his campaign treasurer who was new to federal campaigns, assured Mr. Rossi and Mr. Pompelia that the loan was legal. See Aug. 25, 2004 Memorandum to the Commission, MUR 5262. Of course, Mr. Rossi's guarantee was not legal; it was an excessive contribution.<sup>2</sup>

<sup>1</sup> This matter pertains to a 2002 Congressional election in the 17<sup>th</sup> Congressional District of Ohio. All of the facts in this matter occurred prior to the effective date of the Bipartisan Campaign Reform Act of 2002 ("BCRA"), Pub. L. 107-155, 116 Stat. 81 (2002). Accordingly, unless specifically noted to the contrary, all citations to the Act herein are as it read prior to the effective date of BCRA and all citations to the Commission's regulations herein are to the 2002 edition of Title 11, Code of Federal Regulations, which was published prior to the Commission's promulgation of any regulations under BCRA.

<sup>2</sup> On March 23, 2004, the Commission found reason to believe that Tim Ryan and Tim Ryan for Congress ("Committee") violated 2 U.S.C. § 441a(f). On the same day, the Commission also found reason to believe that Dennis Rossi violated 2 U.S.C. § 441a(a)(1)(A) and (a)(3).

1 **III. DISCUSSION**

2 Attached is a conciliation agreement which has been signed by Dennis Rossi's attorney,  
3 Michael Rossi, on behalf of his client.

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A \$4,000 check for the civil penalty has

9 been received and is attached to this report.

10 **IV. RECOMMENDATIONS**

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1. Accept the attached conciliation agreement with Dennis Rossi.

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2. Close the file as to Dennis Rossi.

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3. Approve the appropriate letter.

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Lawrence H. Norton  
General Counsel

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Lawrence L. Calvert, Jr.  
Deputy Associate General Counsel for Enforcement

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10/19/04

BY: Cynthia E. Tompkins

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Date

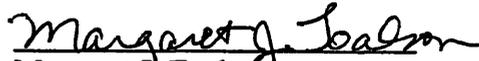
Cynthia E. Tompkins

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Assistant General Counsel

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Margaret J. Toalson  
Margaret J. Toalson  
Attorney

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- 6 **Attachments**
- 7 1. Signed conciliation agreement
- 8 2. Civil penalty check

11/15/2011 10:00 AM